

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	
)	
v.)	Civil Action
)	No. 94-CV-70788DT
JOHN A. RAPANOS; <u>et al.</u>)	HON. BERNARD FRIEDMAN
)	
Defendants.)	
)	

CASE MANAGEMENT ORDER

On August 2, 2006, the U.S. Court of Appeals for the Sixth Circuit remanded this case for further proceedings. After consideration of the parties' oral submissions and for good cause shown, the Court hereby enters the following case management order:

1. Discovery and trial shall proceed in phases. In Phase I the Court shall determine whether the United States has Clean Water Act jurisdiction over the three sites at issue in this case, Salzburg, Hines Road, and Pine River.

2. The following deadlines shall govern pretrial proceedings in Phase I:

- a. Fact discovery shall close May 2, 2007.
- b. By August 1, 2007, the United States shall designate expert witnesses and for each witness so designated, serve the report required by Fed. R. Civ. P. 26(a)(2).
- c. By October 1, 2007, Defendants shall designate expert witnesses and for each witness so designated, serve the report(s) required by Fed. R. Civ. P. 26(a)(2).
- d. By November 2, 2007, the United States shall serve any rebuttal expert reports.

- e. Expert witness discovery shall close February 4, 2008.
 - f. Dispositive motions must be filed by March 4, 2008.
 - g. A proposed Joint Pretrial Order signed by counsel for all parties must be submitted to the Court one (1) week prior to the final pretrial conference.
- 3. The Court shall hold a final pretrial conference on Monday, August 18, 2008 at 1:00 p.m.
 - 4. A bench trial on Phase I shall commence on Monday, August 25, 2008 at 9:00 a.m.

Dated: February 13th, 2007

s/Bernard A. Friedman
Hon. Bernard A. Friedman
CHIEF UNITED STATES DISTRICT JUDGE

I hereby certify that a copy of the foregoing document
was served upon counsel of record by electronic and/or first-class mail.

s/Carol Mullins
Case Manager to Chief Judge Friedman